



ఆంధ్రప్రదేశ్ రాజ పత్రము

**THE ANDHRA PRADESH GAZETTE**  
**PUBLISHED BY AUTHORITY**

W.No.42

AMARAVATI, WEDNESDAY, OCTOBER 25, 2017

G.259

**PART II - MISCELLANEOUS NOTIFICATIONSN OF INTEREST TO THE PUBLIC**

--X--

**NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,**

**A.P. STATE WAQF BOARD**

Office at 4th & 5<sup>th</sup> Floor, Imdadaghar Waqf Complex, Opp: Kaleswar Rao Market, Vijayawada.

SHOW CAUSE NOTICE ISSUED TO JOINT MUTAWALLI - FAILED TO SUBMIT THE EXPLANATION - REMOVAL OF JOINT MUTAWALLI Mr. SYED ANWAR, S/o. KHAJA PEERA LATE U/Sec. 64 OF THE WAQF ACT, 1995 - ALIENATION OF THE ATTACHED LANDS OF SAID WAQF INSTITUTION, NON SUBMISSION OF BUDGET & ACCOUNTS FROM THE DATE OF APPOINTMENT, MIS-MANAGEMENT ETC. JAMIYA MASJID AND ITS ATTACHED PROPERTIES - PYALAKURTHI VILLAGE, KODUMUR MANDAL.

- Read :-
- 1) This Office proceedings in F.No.B3/69/KNL/ 86, Dated : 16-01-1998.
  - 2) This Office memo of even No., Dated : 21-02-2017.
  - 3) Report of Assistant Secretary / Executive Officer, Dated : 17-06-2017.
  - 4) This Office Show Cause Notice of even No., Dated : 09-08-2017.
  - 5) Orders of the Competent Authority, APSWB, Dated : 27-09-2017.

\*\*\*\*\*

**F.No.15/M/KNL/2016,-** The Waqf Institution namely Jamiya Masjid situated at Pyalakurthi Village, Kodumur Mandal Kurnool District and its attached Inam lands under TD No.2368 in Sy.No.37 to an extent of Ac.2.96 Cents, in Sy.No 208 to an extent of Ac.1 89 Cents, in Sy.No.252 to an extent of Ac.0 45 Cents, in Sy.No.286 to an extent of Ac.1 80 Cents, in Sy.No 290 to an extent of Ac.0.80 Cents, in Sy.No.530 to an extent of Ac 18.54 Cents, in Sy.No.588 to an extent of Ac.22.50 Cents and in Sy.No.695 to an extent of Ac.11.99 Cents of Pyalakurthi Village, Kodumur Mandal, Kurnool District is a notified Waqf Institution and published in the AP Gazette 43-A Part-II, Dt:24-10-1963 under Sl. No.2091 and the Gazette notified Mutawalli namely Syed Khaja Peeran was died long back.

In the reference 1<sup>st</sup> read above, this Office has appointed Janab Syed Ameenuddin as a Mutawalli and Mr.Syed Anwar as a Joint Mutawalli to the subject Waqf Institution and after the allegations have been raised against Joint Mutawalli for alienated the attached Inam lands of subject Waqf Institution.

In the reference 2<sup>nd</sup> read above, this Office issued a memo to the Assistant Secretary / Executive Officer, APSWB, Kurnool District and instructed to conduct the enquiry and to submit the detailed report. In turn, the Assistant Secretary / Executive Officer has enquired into the matter and submitted his report vide reference 3<sup>rd</sup> read above, wherein he has reported that, Mr.Syed Anwar, Joint Mutawalli was alienated the attached Inam lands of subject Waqf Institution and earlier the Waqf Officials with support of Janab Syed Ameenuddin, Mutawalli were recovered the Waqf lands to an extent of Ac.30.64 Cents of Pyalakurthi Village from the unauthorized occupants. Due to which Mr.Syed Anwar, Joint Mutawalli is creating law and order problems with malafied intention to grab the valuable Waqf lands with support of unauthorized occupants by charging baseless allegations against Janab Syed Ameenuddin, Mutawalli. Further the Assistant Secretary / Executive Officer recommended to remove Mr.Syed Anwar from the services of Joint Mutawalli as there is no post of JOINT MUTAWALLI in the Waqf Act, 1995.

In the reference 4<sup>th</sup> read above, as per orders of the Competent Authority, APSWB, Dt: 29-07-2017 this Office has issued a Show Cause Notice to Mr.Syed Anwar, Joint Mutawalli to submit his explanation on following charges framed against him within (15) days from the date of receipt of the Show Cause Notice issued as per the provisions of the Act and Rules made there under, failing which for submission of explanation within the stipulated period along with supporting documents it shall be presumed that the Joint Mutawalli have no explanation to offer & suitable action as per the provisions of Waqf Act and Rules made and further action will be initiated against him The charges framed against the Joint Mutawalli are detailed below :

**CHARGE NO.1 :-** That he has failed to maintain regular accounts for the last 18 years since his appointment of Joint Mutawalli w.e.f. 16-01-1998 to till date vide proceedings No B3/69/KNL/86, Dt: 16-01-1998. Since his appointment of Joint Mutawalli of subject Waqf Institution he has failed to get audited accounts by the Chartered Accountant approved by the Board.

*“Thus he has violated section 44(1) and (2) of the Waqf Act, 1995 i.e., failed to submit budget estimates income and expenditure at least (30) days in advance and violated section 46 of the Waqf Act, 1995 i.e., every Mutawalli shall keep regular accounts and furnish to the Board on 1<sup>st</sup> day of July every year. He has also violated Section 54 (g) of the Waqf Act, 1995 i.e., has failed without reasonable excuse to maintain regular accounts for two consecutive years or has failed to submit for two consecutive years, the yearly statements of accounts required by sub-section (2) of Section 46. He has violated Section 50 (a & B) of the Waqf Act, 1995 i.e., failed to carry out instructions of Board and furnish such returns as required.”*

*‘Thus he has violated Section 47 (1) (a) (b) (c) and (2) of the Waqf Act, 1995 i.e., the accountants of Auqaf submitted the Board shall be audited by the auditor appointed by the Board among panel of auditors.’*

**CHARGE NO.2:-** That he has failed to pay Waqf fund to the Waqf Board for the 18 years of his Joint Mutawalliship of subject Waqf Institution. Thus he has misappropriated the Waqf fund for the last 18 years.

*“Thus they have violated Section 64(i) (k) of the Waqf Act, 1995 and Section 72(1) of the Waqf Act, 1995 i.e., misappropriation and failed to make payments 7% towards Waqf fund to the AP State Waqf Board.”*

**CHARGE NO.3:-** That he has alienated the attached Waqf properties attached to the subject Waqf Institution in Sy.No.530 to an extent of Ac.6.50 Cents and in out of Sy.No. 286 & 290 to an extent of Ac.1-84 Cents to others in the year 2006.

*“Thus he has violated Section 64(1) (i) and (k) of the Waqf Act, 1995 i.e., continuously neglects his duties or commits any misfeasance, malfeasance, misapplication of funds or breach of trust in relation to the Waqf or in respect of any money or other Waqf property and misappropriation or fraudulently deals with property of the Waqf.”*

*“Thus he has violated Section 56(2) of the Waqf Act, 1995 i.e., without prior permission of Waqf Board no lease would be granted. Violated section 64(1) (k) of the Waqf Act, 1995 i.e., misappropriates the property of the Waqf.”*

**CHARGE NO.4:-** Thus he has failed to perform responsibility being a public servant with his duties of Joint Mutawalli of subject Masjid and committed irregularities in financial administrative matters, committed malfeasance, misfeasance and failed to spend diligently the income accrued annually from attached properties of subject Masjid and failed to submit proper accounts for the amounts spent to the Waqf Board and committed misappropriation of huge amounts of subject Masjid.

*“Thus he has violated section 101 (2) of the Waqf Act, 1995 and section 21 of Indian Penal Code as he has exhibited lack of property integrity, devotion towards his duty as Mutawalli of subject Masjid as being a public servant.”*

In this compliance to this Office Show Cause Notice Dt: 09-08-2017, Mr.Syed Anwar, S/o Khaja Peera Late, Joint Mutawalli of subject Waqf Institution, R/o Pyalakurthi Village, Kodumur Mandal, Kurnool District has failed to submit his explanation on above charges framed against him till date.

The matter was placed before the Competent Authority, APSWB who after carefully examined the matter and passed orders vide reference 5<sup>th</sup> read above, for removal of Mr.Syed Anwar, S/o Khaja Peera Late from the services of Joint Mutawalli U/Sec.64 of the Waqf Act, 1995 in respect of subject Waqf Institution.

Accordingly, Mr.Syed Anwar, S/o Khaja Peera Late has been removed from the services of Joint Mutawalli U/Sec.64 of the Waqf Act, 1995 in respect of subject Waqf Institution for failing of explanation along with documentary proof framed charges against you and also there is no provision for appointment of Joint Mutawalli in the Waqf Act, 1995 respectively.

The Inspector Auditor Waqfs, Kurnool District is hereby directed to serve the copy of proceedings to Mr.Syed Anwar, S/o Khaja Peera Late, R/o Pyalakurthi Village, Kodumur Mandal, Kurnool District with proper acknowledgement and report compliance.

29-09-2017.

**JANAB L. ABDUL KHADIR,**  
*Chief Executive Officer,*  
*Andhra Pradesh State Waqf Board,*  
*Vijayawada.*

To  
Mr. Syed Anwar,  
S/o. Khaja Peera Late,  
R/o. Pyalakurthi Village, Kodumur Mandal, Kurnool District (thorough IA Waqfs, Kurnool).

---X---